

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 3:13-CR-121-MMD-(WGC)
)
FRANK CHARLES ALFES,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on July 28, 2014, defendant FRANK CHARLES ALFES pled guilty to the Indictment charging him with Possession of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Indictment, ECF No. 1; Change of Plea, ECF No. 17; Plea Agreement, ECF No. 18.

This Court finds defendant FRANK CHARLES ALFES agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. 17; Plea Agreement, ECF No. 18.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment and the offense to which defendant FRANK CHARLES ALFES pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253:

1. Apple Macbook Pro laptop (S/N W87491K5XA9);
2. Alienware desktop computer (S/N 18100319329);
3. Dell desktop computer (S/N 12QL771);
4. Western Digital USB hard drive (S/N WXEY07U47224);
5. 8GB USB Sandisk thumb drive;
6. Cruzer 512MB USB thumb drive;
7. Maxtor external hard drive enclosure (S/N L60Z480H);
8. Maxtor external hard drive enclosure (S/N A824MD0E);
9. Maxtor external hard drive enclosure (S/N 2HAA9Z7Q);
10. Rocstor external hard drive enclosure (S/N WCAV54758834);
11. Western Digital MyBook hard drive enclosure (S/N WCAU42106325);
12. Seagate FreeAgent hard drive enclosure (S/N NA1XRHXY);
13. Silver DiskGo 8GB USB thumb drive;
14. Dell Dimension 8200 computer tower (S/N BD41111);
15. Dell laptop SN 34615505521; and
16. any visual depiction or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Sections 2251 and 2252A

(all of which constitutes "property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of FRANK CHARLES ALFES in the aforementioned property is forfeited and is vested in the United

1 States of America and shall be safely held by the United States of America until further order of the
2 Court.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
4 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
5 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
6 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
7 name and contact information for the government attorney to be served with the petition, pursuant to
8 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
10 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
11 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
12 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
13 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
14 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
15 petition and the relief sought.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
17 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
18 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if
19 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the
20 official internet government forfeiture site, www.forfeiture.gov.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
23 following address at the time of filing:

24 Greg Addington
25 Assistant United States Attorney
26 100 West Liberty Street, Suite 600
Reno, NV 89501

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this ^{29th} day of July, 2014.

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9 UNITED STATES DISTRICT JUDGE
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